APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/494,780	01/31/2000	Stefan Bahrenburg	GR 97 P 8073	3930

7590   06/27/2003

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EXAMINER
PEZZLO, JOHN

ART UNIT	PAPER NUMBER
2662	

DATE MAILED: 06/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

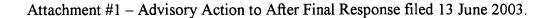|	Application No.	Applicant(s)
Advisory Action	09/494,780	Bahrenburg et al.
	Examiner	Art Unit
	John Pezzlo	2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED ___13 Jun 2003___ FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid the abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

THE PERIOD FOR REPLY [check only a) or b)]

a) ☒ The period for reply expires ___3___ months from the mailing date of the final rejection.

b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.

2. ☐ The proposed amendment(s) will not be entered because:

   (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);

   (b) ☐ they raise the issue of new matter (see NOTE below);

   (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____

   _____

3. ☐ Applicant's reply has overcome the following rejection(s):

   _____

4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because:
   Examiner believes the rejection is proper, please refer to attachment #1 for a detail explanation.

   _____

6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

7. ☒ For purposes of Appeal, the proposed amendment(s) a)☐ will not be entered or b)☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____

   Claim(s) objected to: *5, 7, 8, and 10* _____

   Claim(s) rejected: *1-4, 6, 9, and 11-15* _____

   Claim(s) withdrawn from consideration: _____

8. ☐ The proposed drawing correction filed on _____ is a)☐ approved or b)☐ disapproved by the Examiner.

9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.

10. ☐ Other: _____

JOHN PEZZLO
PRIMARY EXAMINER

Attachment #1 – Advisory Action to After Final Response filed 13 June 2003.

1.　　Applicants argue on page 2, of the response, that the reference, Sato, does not disclose "utilizing for at least two of the data channels of the connection one common training sequence different from training sequences of other connections". The examiner respectfully disagrees. The examiner references Sato, Figure 7 and column 7 lines 18 to 34. Wherein Sato discloses that "The training series may have a pattern known in the art and may be formed by a code series peculiar to each channel so as to distinguish among the channels which use a common time slot TM." It is very clear from the above that Sato utilizes a training sequence that is common for each connection and different from all other connections.

2.　　Applicants argue on page 3, of the response, that the reference, Sato, does not disclose "wherein each data channel can be distinguished by an individual spreading code". The examiner respectfully disagrees. The examiner references Sato, Figures 2 and 3 and the summary of the invention (column 2 lines 49 to 65) and column 5 lines 4 to 15. The summary of the invention discloses that the preselected spread code lasts for the time slot (a channel) and column 5 lines 4 to 15 that the spread code is different for each mobile station ("The spread code generator 41 generates a sequence of spread codes c peculiar to the mobile station MS1"). Based on the fact the spread code lasts for one time slot and each mobile station has a different spread code, if a mobile is assigned multiple time slots (two channels), each code for each time slot would be different, which is the method utilized by CDMA to maintain the multiple access between channels.

3.　　If the applicants feel an interview would advance prosecution please contact the examiner.